

REMARKS

Claims 1-16, 39-43, and 58-63 have been canceled. Claims 31 and 32 have been amended. Claims 17-38 and 44-57 remain in the application.

Claims 31 and 32 are objected to for matters of form. The amendments to the claims follow the examiner's helpful suggestion. These amendments are directed only to the formal matters raised by the examiner and are not made to evade prior art or to support an argument that the claims are patentable. Indeed, even without amendment the examiner has indicated that these claims are allowed.

Claims 37 and 38 are rejected for anticipation by US Patent No. 5,481,588 ("Rickli"). That rejection is respectfully traversed for the following reasons.

Claim 37 is directed to a method for use in simultaneously testing a *plurality of wireless telephone units* operative for wireless communications, by

"receiving first caller identification (ID) information associated with a first wireless unit;

performing a first test function during a first time period in connection with the first wireless unit and generating first test data therefrom;

storing the first test data in association with the first caller ID information;

receiving second caller identification (ID) information associated with a second wireless unit;

performing a second test function during a second time period in connection with the second wireless unit and generating second test data therefrom; and

storing the second test data in association with the second caller ID information."

Thus, each wireless unit sends its ID, the test is performed, and the test data is stored in association with the wireless unit's ID. In contrast, Rickli describes test arrangements for radio telephone systems in which the quality of service *in a mobile radio installation* is tested. See Rickli at column 1, lines 11-30 and column 2, lines 43-47. In other words, the method of the rejected claims tests the wireless units, while the test arrangements of Rickli test the wireless system. In Rickli, wireless mobile units are provided to generate system test data points; the units themselves are not tested. The term "quality of service" (more particularly, "position-related quality of service") used by Rickli to identify the entity being tested relates to system parameters affecting the delivery of service to users. Such parameters include connections to subscribers and the

number of connections that can be made simultaneously. See Rickli at column 1, lines 21-26. Rickli has described arrangements to test those parameters in order that the overall effectiveness of a radio telephone system in delivering service simultaneously to many mobile units can be assessed. Rickli does not test the wireless telephone units themselves. Accordingly, Rickli omits a method for use in simultaneously "testing a *plurality of wireless telephone units* operative for wireless communications".

The contention in the Office Action is that Rickli teaches "performing a first test function during a first time period in connection with the first wireless unit and generating first test data therefrom" at column 7, lines 19-20. In fact Rickli at column 7, lines 15-21 describes a registration module that receives and stores the call identification numbers and "connection parameters" received from test mobile remote units. The "connection parameters" are identified by Rickli at column 5, lines 48-52. Manifestly the parameters are system parameters (interrupts, terminations, field strength, etc.). These parameters are evaluated by simply reporting what happens to system performance at any particular one of the test mobile remote units; none of the connection parameters denotes or constitutes "a first test function"; certainly, none of these system parameters is a "first test function" of a method for "simultaneously testing a *plurality of wireless telephone units* operative for wireless communications". Consequently, Rickli omits the acts of "performing a first test function" and "performing a second test function". Therefore, claims 37 and 38 are not anticipated by Rickli.

Accordingly this application this application is in condition for allowance, early notice of which is earnestly solicited.

Date: *July 14, 2004*
INCAPLAW
1050 Rosecrans Street, Suite K
San Diego, CA 92106

Telephone: (619) 222-2531 Fax: (619) 222-2327

Respectfully submitted,

Terrance A. Meador
TERRANCE A. MEADOR
Reg. No. 30, 298